

**RULES
OF
TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF BOILER AND ELEVATOR INSPECTION
ELEVATOR SAFETY BOARD**

**CHAPTER 0800-3-4
ELEVATORS, DUMBWAITERS, ESCALATORS, AND OTHER LIFTS**

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0800-3-4-.01 DEFINITIONS.

- (1) Board. The Tennessee Elevator Safety Board described in T.C.A. Section 68-121-102 of the Elevator Safety Act.
- (2) Commissioner. The Commissioner of Labor and Workforce Development.
- (3) Department. The Tennessee Department of Labor and Workforce Development.
- (4) Elevator, dumbwaiter, escalator, and other lift. Hoisting and lowering mechanisms as defined in Section 3 of the Elevator Safety Code.
- (5) New Installation. Any new installation of elevators, dumbwaiters, escalators, or other lifts as defined in the Introduction, Section 3 Definitions of the Elevator Safety Code, for which the plans and specifications and the application for the construction permit are filed as required by T.C.A. Section 68-121-108. All other installations shall be deemed to be existing installations or installations placed out of service as defined in the Introduction, Section 3 Definitions of the Elevator Safety Code.
- (6) Other Terms. All other terms used in this Chapter shall have the meaning as defined by Section 3 of the Elevator Safety Code, and Section 1.4 of the Safety Code for Existing Elevators and Escalators.
- (7) The Elevator Safety Code. The Safety Code for Elevators and Escalators, ASME A17.1 - 1996, Fifteenth Edition, 1996, as amended, approved by the American Society of Mechanical Engineers on October 3, 1996, effective July 1, 1997, with 1997 Supplements ASME A17.1a - 1997, approved by the American Society of Mechanical Engineers on January 8, 1998, effective August 28, 1998, ASME A17.1b - 1998, approved November 13, 1998, effective August 20, 1999, and ASME A17.1c - 1998, approved May 13, 1999, effective December 31, 1999, and it shall be considered a portion of this Chapter where rule numbers are used in this Chapter, they refer to the rules of the Safety Code for Elevators and Escalators.
- (8) The Safety Code for Existing Elevators and Escalators. ASME A17.3-1996, Fourth Edition, 1996, approved by the American Society of Mechanical Engineers on October 3, 1996, effective August 21, 1997, with 2000 Supplements ASME A17.3(a) - 2000, approved by the American Society of Mechanical Engineers on February 29, 2000, effective March 30, 2000, and it shall be considered a portion of this Chapter where rule numbers are used in this Chapter regarding existing elevators, dumbwaiters, escalator, and other lifts, they refer to the rules of the Safety Code for Existing Elevators and Escalators.

(Rule 0800-3-4-.01, continued)

Authority: T.C.A. §§4-5-202(a)(3) and 68-121-103(a)(4). **Administrative History:** Original rule certified June 10, 1974. Amendment filed September 19, 1974; effective October 19, 1974. Amendment filed March 29, 1978; effective April 28, 1978. Amendment filed March 12, 1979; effective April 26, 1979. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000. Amendment filed December 13, 2001; effective April 30, 2002.

0800-3-4-.02 GENERAL REQUIREMENTS.

- (1) **APPLICATION.** The requirements of this Chapter shall apply to all installations of elevators, dumbwaiters, escalators, and other lifts as hereinafter specified.
- (2) **RESPONSIBILITY.** Responsibility for the care, operation and maintenance of elevators, dumbwaiters, escalators, and other lifts shall be as follows:
 - (a) The person or firm installing, relocating or altering an elevator, dumbwaiter, escalator, or other lift shall be responsible for its operation and maintenance until the operating permit therefor has been issued by the Commissioner, except during the period when any limited operating permit, as defined in Rule 0800-3-4-.05(5) hereof, shall be in effect, and shall also be responsible for all tests of new, relocated and altered equipment until the operating permit therefor has been issued by the Commissioner.
 - (b) The owner or his duly appointed agent shall be responsible for the safe operation and proper maintenance of the elevator, dumbwaiter, escalator, or other lift, after the operating permit has been issued by the Commissioner and also during the period of effectiveness of any limited operating permit as defined in Rule 0800-3-4-.05(5) hereof. The Owner shall also be responsible for making all initial and periodic tests required by this Chapter.
- (3) **EXCEPTIONS AND USE OF OTHER DEVICES AND METHODS.** The Board only shall have power to grant exceptions from the requirements of this Chapter and to permit the use of other devices and methods at its discretion, within the limitations stated in the Elevator Safety Code.
- (4) **NUMBERING OF ELEVATORS, DUMBWAITERS, ESCALATORS AND OTHER LIFTS.** All new and existing elevators, dumbwaiters, escalators, and other lifts shall have a serial number assigned by the Department stamped on or attached to the crosshead of the elevator car and/or to the escalator ballaster in plain view. This serial number shall be shown on all required permits.
- (5) **CONSTRUCTION PERMITS.**
 - (a) A construction permit shall be obtained from the Department before erecting or constructing new elevators, dumbwaiters, escalators, and other lifts, moving such apparatus from one hoistway to another, or before making alterations to existing equipment. The owner, or his authorized agent, shall submit an application for such permit accompanied by plans and specifications in duplicate, in such form as the Department may prescribe. Where such plans and specifications indicate compliance with this Chapter the Commissioner shall issue a construction permit.
 - (b) The acceptance fees are to be the same as the permit fees. No permit shall be required for repairs and replacements normally necessary for maintenance with parts of equivalent materials, strength and design.
- (6) **REGISTRATION OF ELEVATORS, DUMBWAITERS, ESCALATORS AND OTHER LIFTS.**
 - (a) Within sixty days after the date of adoption of this Chapter, the owner or lessee of every existing elevator, dumbwaiter, escalator, and other lift shall register with the Department of Labor and Workforce Development each such elevator, dumbwaiter, escalator, or other lift

(Rule 0800-3-4-.02, continued)

owned and operated by such owner, giving type, contract load, and speed, name of manufacturer, its location and the purpose for which it is used and such other information as the Department may require. Such registration shall be made on a form to be furnished by the Department of Labor and Workforce Development on request.

- (b) Elevators, dumbwaiters, escalators, and other lifts whose erection is begun subsequent to the date of adoption, but prior to the effective date of this Chapter, shall be registered with the Department within not more than seven (7) days after they are completed and placed in service.
- (7) **MAINTENANCE OF ELEVATORS, DUMBWAITERS, ESCALATORS AND OTHER LIFTS.** Every elevator, dumbwaiter, escalator, and other lift shall be maintained by the owner or lessee in a safe operating condition and in conformity with the rules of this Chapter.

Authority: T.C.A. §§4-5-202(a)(3), 68-121-101, 68-121-103, 68-121-104, 68-121-105, 68-121-107, 68-121-108, 68-121-109, 68-121-111, and 68-121-115. **Administrative History:** Original rule certified June 10, 1974. Amendment filed June 21, 1976; effective September 13, 1976. Amendment filed March 29, 1978; effective April 28, 1978. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000.

0800-3-4-.03 DESIGN, INSTALLATION, AND ALTERATIONS.

(1) NEW INSTALLATIONS AND RELOCATIONS.

- (a) All new installations and relocations of elevators, dumbwaiters, escalators and other lifts shall be designed and installed in accordance with the requirements of The Elevator Safety Code. The design of each new installation or relocation shall be in accordance with the edition of The Elevator Safety Code adopted by the Board and effective as of the date that such design plan is approved by the Board.
- (b) New installations and relocations failing to meet the requirements, as set out in the Elevator Safety Code, shall only be altered pursuant to exceptions granted by the Board. All requests for exceptions shall be submitted to the Board in writing no later than 30 days prior to the next regularly scheduled or called meeting of the Board. All duly filed requests for exceptions shall be considered by the Board at the next regularly scheduled or called meeting of the Board.

(2) EXISTING INSTALLATIONS.

- (a) Existing elevators, dumbwaiters, escalators, and other lifts, at a minimum shall meet the requirements of the Safety Code for Existing Elevators and Escalators. If an existing installation does not meet the requirements of the Safety Code for Existing Elevators and Escalators, it shall be upgraded. If an existing installation was required to meet more stringent requirements, it shall continue to meet those requirements. Every installation shall be maintained in a safe operating condition and shall be subject to inspections and tests specified in this Chapter.
- (b) All modifications as required to comply with paragraph (a) of this subsection shall be initiated as soon as possible, and shall be completed no later than five (5) years from the effective date of the rule.

(3) ALTERATION OF EXISTING INSTALLATIONS.

- (a) Any alteration made to existing installations shall meet the requirements as set out in the Safety Code for Existing Elevators and Escalators, or must be altered in accordance with exceptions granted by the Board. All requests for exceptions shall be submitted to the Board in writing no later than 30 days prior to the next regularly scheduled or called meeting of the Board. All duly

(Rule 0800-3-4-.03, continued)

filed requests for exceptions shall be considered by the Board at the next regularly scheduled or called meeting of the Board. All modifications as required to comply with this paragraph (a) of this subsection shall be subject to the initiation period stated in subsection (2)(b) of this Rule. All requests for exceptions shall be submitted to the Board in writing no later than 30 days prior to the next regularly scheduled or called meeting of the Board. All duly filed requests for exceptions shall be considered by the Board at the next regularly scheduled or called meeting of the Board.

- (b) Any combination of alterations or changes made to an existing installation constituting more than 50% of the elevator installation or hoistway construction, shall be considered a major combination of alterations, and the entire installation shall conform to the requirements of Part XII, Section 1200 of the Elevator Safety Code.
 - (c) Replacement of a traction or hydraulic controller and machine at the same time or at separate times within a 12 month period shall be considered a major combination of alterations, and subparagraph (b) of this paragraph (3) of this rule shall apply to such replacement.
 - (d) Other combinations of elevator replacement and repair of existing installations shall be considered a minor alteration, and shall at all times comply with Part XII, Section 1200 of the Elevator Safety Code. If the contractor or owner determines that an inspection of a minor alteration pursuant to Rule 0800-3-4-.04 of this Chapter is appropriate, the contractor or owner shall direct such request for inspection to the local state elevator inspector, and pay the applicable fee provided in Rule 0800-3-10-.01.
- (4) **REPAIRS AND REPLACEMENTS.** Repairs and replacements of damaged, broken, or worn parts shall conform to the requirements of Part XII, Section 1200 of the Elevator Safety Code.

Authority: T.C.A. §§4-5-202(a)(3) and 68-121-103(a)(4). **Administrative History:** Original rule certified June 10, 1974. Amendment filed March 29, 1978; effective April 28, 1978. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000. Amendment filed December 13, 2001; effective April 30, 2002.

0800-3-4-.04 INSPECTION AND TESTS.

- (1) **NEW, RELOCATED OR ALTERED ELEVATORS, DUMBWAITERS, ESCALATORS, AND OTHER LIFTS.**
 - (a) **ACCEPTANCE TESTS.** The person or firm installing, relocating or altering elevators, dumbwaiters, escalators or other lifts shall notify the Department in writing at least seven (7) days before completion of the work and shall subject the new, moved, or altered portions of the equipment to the tests specified in Part X, Section 1000 of the Elevator Safety Code as amended, insofar as the equipment mentioned therein is required or provided, to show that such equipment conforms to the requirements specified.
 - (b) **ACCEPTANCE INSPECTION.** All new, altered and relocated elevators, dumbwaiters, escalators and other lifts shall be inspected for compliance with the requirements of this Chapter. Such inspections shall conform to the requirements of Part X, Section 1000.1c of the Elevator Safety Code, as amended, and determine whether such equipment conforms to the requirements specified.
 - (c) The inspections required by this Rule shall be made by an inspector licensed and employed by the State of Tennessee who shall also witness the tests specified in this Rule.
 - (d) The person or firm installing such elevator, dumbwaiter, escalator, or other lift shall pay to the Department an acceptance inspection fee, as provided for in Rule 0800-3-10-.01 Fees.

(Rule 0800-3-4-.04, continued)

- (2) PERIODIC INSPECTIONS AND TESTS OF ALL ELEVATORS, DUMBWAITERS, ESCALATORS, AND OTHER LIFTS.
 - (a) The owner or lessee of every elevator, dumbwaiter, escalator, and other lift shall cause it to be inspected and tested every sixth calendar month following the month in which the inspection and test required by Rules 0800-3-4-.04(1) has been made.
 - (b) Periodic inspections and tests shall conform to the requirements of the Elevator Safety Code.
- (3) REQUIRED INSPECTIONS. The inspections required by paragraphs (1) and (2) of this Rule shall be “required inspections.”
- (4) Report of Inspections.
 - (a) A report of every required inspection shall be filed with the Department by the inspector making such inspection on a form approved by the Department, within twenty (20) days after the inspection or test has been completed. The report of the inspections required by subdivisions (1) and (2) of this Rule shall include all information required by the Department to determine whether the owner or lessee of the elevator or escalator has complied with the applicable requirements of this Chapter.
 - (b) For the inspection required by subdivision (1) of this Rule the report shall in addition indicate whether the elevator, dumbwaiter, escalator, or other lift has been installed in accordance with the construction permit issued by the Department under Rule 0800-3-4-.02(5) of this Chapter and meets the requirements of the applicable rules of the Elevator Safety Code.
- (5) ADDITIONAL INSPECTIONS. In addition to such “required inspections” the Commissioner may designate a licensed inspector in the employ of the State to make such additional inspections as may be required to enforce the provisions of this Chapter.

Authority: T.C.A. §§4-5-202(a)(3), 68-121-101, 68-121-103, 68-121-104, 68-121-105, 68-19-106, 68-121-107, 68-121-108, 68-121-109, 68-121-111, and 68-121-115. **Administrative History:** Original rule certified June 10, 1974. Amendment filed September 19, 1974; effective October 19, 1974. Amendment filed June 21, 1976; effective September 13, 1976. Amendment filed March 29, 1978; effective April 28, 1978. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000.

0800-3-4-.05 OPERATING PERMITS.

- (1) ISSUING OF PERMITS.
 - (a) Operating permits shall be issued by the Commissioner, within the time limits hereafter specified, to the owner or lessee of every new elevator, dumbwaiter and escalator, and of every existing elevator and escalator, where the inspection report indicates compliance with this Chapter, provided that no permit shall be issued if the fees required by this Chapter have not been paid. Said time limits shall be thirty days for existing elevators and escalators, and seven days for new elevators, dumbwaiters and escalators, after the required date for filing the inspection report required by Rule 0800-3-4-.04(4), unless such time is extended by the Commissioner. No elevator, dumbwaiter or escalator, for which such permit is required, shall be operated by the owner or lessee thereof after the escalator, for which such permit is required, shall be operated by the owner or lessee thereof after the dates specified in this section, unless such operating permit has been issued.
 - (b) The operating permit shall be issued for the period covered by the inspection required by Rules 0800-3-4.04(1) and 0800-3-4-.04(2) shall state the contract load and speed for such elevator,

(Rule 0800-3-4-.05, continued)

dumbwaiter or escalator. It shall be extended by endorsement of the Commissioner or his duly appointed agent after each periodic inspection required by Rule 0800-3-4-.04(3).

- (c) If the inspection report, required by Rule 0800-3-4-.04(4) indicates failure of compliance with the applicable requirements of this Chapter or with the detailed plans and specifications approved by the Department under Rule 0800-3-4-.02(5), the Commissioner shall give notice to the owner or lessee or the person or persons filing such plans and specifications of changes necessary for compliance therewith. After such changes have been made, the Commissioner shall issue an operating permit.
 - (d) If the inspection report, required by Rule 0800-3-4-.04(4) indicates that an elevator or escalator is in an unsafe condition, so that its continued operation may be dangerous to the public safety, then the Commissioner may, at his discretion, require the owner or lessee to discontinue the use of such elevator or escalator until it has been made safe and in conformity with the requirements of this Chapter.
 - (e) If the Commissioner has reason to believe that any owner or lessee to whom an operating permit has been issued is not complying with the applicable rules of this Chapter he shall so notify such owner or lessee, and shall give notice of a date for a hearing hereon to such owner or lessee. If, after such hearing, he shall find that such owner or lessee is not complying with such rules and regulations, he shall revoke such permit.
- (2) **SERIAL NUMBER SHOWN ON PERMITS.** Permits shall show the serial number of the elevator, dumbwaiter, escalator, or other lift for which it is issued, as required in Rule 0800-3-4-.02(4), "Numbering of Elevators and Escalators."
 - (3) **POSTING OF PERMITS.** The required permit, or a sign designating where such permit is located, shall be posted in a conspicuous location in the elevator car, or on or near the escalator, dumbwaiter, or other lift.
 - (4) **LIMITED OPERATING PERMIT.** The Commissioner may permit the temporary use of any elevator, dumbwaiter, escalator, or other lift for passenger or freight service during its installation or alteration, under the authority of a limited permit, issued by him for each class of service. In the case of elevators, such limited permit shall not be issued until the elevator shall have been tested under the contract load, and the car safety and terminal stopping equipment have been tested to determine the safety of the equipment for construction purposes, and until permanent or temporary guards or enclosures are placed on the car and around the hoistway at the landing entrances on each floor. Landing entrance guards shall be provided with locks that can be released from the hoistway side only. Automatic and continuous pressure elevators shall not be placed in temporary operation from the landing push buttons unless door locking devices and/or interlocks required by The Elevator Safety Code are installed and operative.
 - (5) **LIFE OF LIMITED PERMITS.** Limited permits shall be issued for a period not to exceed thirty (30) days and may be renewed at the discretion of the Commissioner.
 - (6) **POSTING OF LIMITED PERMITS.** Where a limited permit is issued, a notice bearing the information that the equipment has not been finally approved shall be conspicuously posted on, near, or visible from each entrance to such elevator, dumbwaiter or escalator, or other lift.

Authority: T.C.A. §§4-5-202(a)(3), 68-121-101, 68-121-103, 68-121-104, 68-121-105, 68-121-107, 68-121-108, 68-121-109, 68-121-111, and 68-121-115. **Administrative History:** Original rule certified June 10, 1974. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000.

0800-3-4.06 QUALIFICATIONS AND LICENSING OF INSPECTORS. All required inspections made under the requirements of this Chapter shall be made by, or in the presence of inspectors qualified and licensed as prescribed in T.C.A. §68-121-110 and Rule 1000.1 of the Elevator Safety Code.

Authority: T.C.A. §§4-5-202(a)(3) and 68-121-110. *Administrative History:* Original rule certified June 10, 1974. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000.

0800-3-4.07 ELEVATORS, DUMBWAITERS, ESCALATOR, AND OTHER LIFTS ACCIDENTS.

- (1) The owner or his duly authorized agent shall immediately notify the Commissioner of each and every elevator, dumbwaiter, escalator or other lift accident involving a person requiring the service of a physician, or damage to the elevator, dumbwaiter, escalator or other lift equipment that impairs the safe operation of such equipment, as required by the Elevator Safety Code, and shall afford the Commissioner every facility for investigating and inspecting such accident or damage. The Commissioner shall, without delay, after being notified, make an investigation and shall have placed on file a full and complete report of such accident.

Authority: T.C.A. §§4-5-202(a)(3) and 68-121-103(a)(4). *Administrative History:* Original rule certified June 10, 1974. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000.

0800-3-4.08 APPEALS. Appeals from Orders or Acts of the Commissioner in the enforcement of the rules of this Chapter shall be made as required by T.C.A. Section 68-121-112 of the Elevator Safety Law.

Authority: T.C.A. §§4-5-202(a), 68-121-101, 68-121-103, 68-121-104, 68-121-105, 68-121-106, 68-121-107, 68-121-108, 68-121-109, 68-121-111, 68-121-112, and 68-121-115. *Administrative History:* Original rule certified June 10, 1974. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000.

0800-3-4.09 SPECIFICATIONS FOR TESTS AND INSPECTIONS. Part X, Sections 1000 and 1001 of the 1996 revision of the ASME A17.1 Code as amended, which recommends the American National Standard Practice for the inspection of Elevators, Inspectors Manual, A17.2 1996 edition as amended, with addenda, is a guide for making the inspections and tests.

Authority: T.C.A. §§68-121-101, 68-121-103 through 68-121-111, 68-121-115, and 4-5-202. *Administrative History:* Original rule certified June 10, 1974. Amendment filed February 5, 1991; effective May 29, 1991. Amendment filed July 24, 2000; effective November 28, 2000.

0800-3-4.10 ADOPTION OF ELEVATOR SAFETY CODE AMENDMENTS AND INTERPRETATIONS. The Board shall annually review and may adopt by rule the existing published codification of the Safety Code for Elevators and Escalators, ASME A17.1, with the amendments and interpretations thereto made and approved by the American Society of Mechanical Engineers. The Board shall likewise annually review and may adopt by rule the amendments and interpretations subsequently made and published by the same authority pursuant to such annual review. When so adopted, said existing published codification and the amendments and interpretations thereto shall be deemed incorporated into, and to constitute a part of the whole of the definitions, rules and regulations of the Board.

Authority: T.C.A. §§4-5-202(a)(3) and 68-121-103 (a)(4). *Administrative History:* Original rule filed July 24, 2000; effective November 28, 2000.